

Steven R. Bailey (0174)
Chapter 7 Trustee
2454 Washington Boulevard
Ogden, Utah 84401-2312
Telephone: (801) 621-4430

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re: ROCKWELL DEBT FREE PROPERTIES, INC. Debtor.	Bankruptcy Case No. 20-25326 Chapter 7 Honorable Kevin R. Anderson
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**APPLICATION TO EMPLOY ANDERSON & KARRENBURG AS
COUNSEL FOR CHAPTER 7 TRUSTEE**

Steven R. Bailey, as Trustee of the Estate of the above-entitled Debtor (“Trustee”), submits his application for entry of an order pursuant to 11 U.S.C. § 327(a) authorizing and approving the retention and employment of Anderson & Karrenberg (“A&K”) as counsel for the Trustee (the “Application”). This Application is supported by the Declaration of Blake D. Miller, attached as Exhibit “A.” In support of its Application, the Trustee respectfully represents as follows:

Background

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§1408 and 1409.

2. On September 2, 2020 (the “Petition Date”), the Debtor filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code.

3. Steven R. Bailey was appointed Interim Trustee on September 22, 2020.

4. Trustee’s appointment was approved by an Order of this Court and Trustee is currently acting as trustee of this case.

Retention of A&K

4. Subject to approval by this Court, the Trustee has retained A&K to serve as his counsel in connection with this Chapter 7 case.

5. The Trustee respectfully requests entry of an order authorizing him to employ and retain A&K to perform the legal services that will be necessary in this Chapter 7 case. The Trustee believes that A&K is qualified and able to represent him in this Chapter 7 case in an efficient and timely manner.

6. The services to be provided by A&K will include:

a. Assisting the Trustee in taking necessary actions to protect and preserve the bankruptcy estate, including prosecution of actions on the estate’s behalf, the defense of actions commenced against the estate, negotiation of disputes, and the preparation of objections to claims filed against the estate;

b. Assisting in preparing, on behalf of the Trustee, all necessary motions, applications, answers, orders, reports, and papers in connection with the administration of the estate;

c. Performing all other necessary legal services in connection with serving as the Chapter 7 trustee in this case.

7. A&K shall be paid on an hourly basis for work performed for and on behalf of the Estate and the Trustee.

8. To the best of the Trustee's knowledge, with the one exception noted below, the shareholders and associates of A&K do not have any connection with, or any interest adverse to, the Debtor, the Trustee, creditors, any other party in interest, the United States Trustee or any known employee in the office thereof, or any United States Bankruptcy or District Court Judge of the District of Utah:

1. South Jordan Facility TIC Owners. The Debtor participated in acquiring purchasers for Noah event facilities – a former event venue company that filed a series of bankruptcy cases in this district. A&K represented the owner group of the South Jordan, Utah facility in the “Noah” bankruptcy cases, the surviving case being *In re Noah Corporation*, Bk. No. 19-23840. That representation has concluded. William G. and Susan W. Wright, and Ross R. and Linda M. Greco were owners of the South Jordan facility that are also listed as creditors of this Debtor. A&K will not serve as counsel in any matter involving these individuals.

WHEREFORE, the Trustee respectfully requests entry of an Order approving the retention of A&K and granting such other and further relief as the Court deems just and proper.

DATED this 14th day of October 2020.

/s/ Steven R. Bailey
Steven R. Bailey
Chapter 7 Trustee

**CERTIFICATE OF SERVICE – BY NOTICE OF ELECTRONIC FILING (CM/ECF)
and US MAIL**

I certify that on October 14, 2020, I electronically filed the foregoing **APPLICATION TO EMPLOY ANDERSON & KARRENBURG AS COUNSEL FOR CHAPTER 7 TRUSTEE** with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users and will be served through the CM/ECF system.

- **Steven R. Bailey** trusteebailey@baileylaw.org, UT06@ecfbis.com
- **Andres' Diaz** courtmail@adexpresslaw.com
- **Wesley D. Felix** wfelix@deisslaw.com, nburza@deisslaw.com
- **Reid W. Lambert** rlambert@strongandhanni.com, tlawrence@strongandhanni.com
- **Brittany J Nelson** bnelson@foley.com, tscannell@foley.com, hsiagiandraughn@foley.com, acordero@foley.com
- **Chad S Pehrson** cpehrson@parrbrown.com
- **United States Trustee** USTPRegion19.SK.ECF@usdoj.gov
- **Brenda E. Weinberg** bweinberg@felixweinberg.com

I further certify that on October 14, 2020, I mailed the foregoing **DECLARATION OF BLAKE D. MILLER IN SUPPORT OF APPLICATION TO EMPLOY ANDERSON & KARRENBURG AS COUNSEL FOR CHAPTER 7 TRUSTEE** through U.S. Mail, postage prepaid to the following:

Gil Miller
Rocky Mountain Advisory
215 South State Street Ste 550
Salt Lake City, UT 84111

/s/ Deborah R. Chandler

EXHIBIT “A”

Steven R. Bailey (0174)
Chapter 7 Trustee
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**DECLARATION OF BLAKE D. MILLER IN SUPPORT OF APPLICATION TO
EMPLOY ANDERSON & KARRENBERG AS
COUNSEL FOR CHAPTER 7 TRUSTEE**

I, Blake D. Miller, hereby declare as follows:

1. I am over the age of 18 and have personal knowledge of the matters stated herein.
2. I am filing this Declaration in support of the Application to Employ Anderson & Karrenberg ("A&K") as Counsel For Chapter 7 Trustee.
3. I am a member in good standing of the State Bar of Utah. I am an attorney practicing with the law firm of Anderson & Karrenberg with its office in Salt Lake City, Utah.
4. To the best of my knowledge and belief, with the exception noted below, A&K has no direct or indirect relationship to, connection with, or interest in the Debtor, the Trustee,

any creditors, or any other party in interest, the United States Trustee or any known employee in the office thereof, or any United States Bankruptcy or District Court Judge of the District of Utah:

- a. South Jordan Facility TIC Owners. The Debtor participated in acquiring purchasers for Noah event facilities – a former event venue company that filed a series of bankruptcy cases in this district. A&K represented the owner group of the South Jordan, Utah facility in the “Noah” bankruptcy cases, the surviving case being *In re Noah Corporation*, Bk. No. 19-23840. That representation has concluded. William G. and Susan W. Wright, and Ross R. and Linda M. Greco were owners of the South Jordan facility that are also listed as creditors of this Debtor. A&K will not serve as counsel in any matter involving these individuals.

5. A&K is qualified to represent the Trustee in this case.

6. A&K has not agreed to share the compensation that the firm, or any attorney with A&K, may be awarded in this case with any other person, attorney or entity, except as is customary in a professional law corporation.

Dated this 14th day of October, 2020.

ANDERSON & KARRENBURG

/s/ Blake D. Miller

Blake D. Miller
Attorneys for Trustee